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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,719	09/29/2006	Roland Schutz	4590-579	9398
	7590 05/13/201 MAN HAM & BERN	EXAMINER		
1700 DIAGON.	AL ROAD, SUITE 300	LEE, ANDREW CHUNG CHEUNG		
ALEXANDRIA	A, VA 22314		ART UNIT	PAPER NUMBER
		2476		
			MAIL DATE	DELIVERY MODE
			05/13/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary		А	pplication No.	Applicant(s)	Applicant(s)			
		1	0/594,719	SCHUTZ ET AL.	SCHUTZ ET AL.			
		E	xaminer	Art Unit				
			ndrew C. Lee	2476				
Period fo	The MAILING DATE of this communi or Reply	cation appear	s on the cover sheet with	h the correspondence ac	ddress			
WHIC - Exter after - If NC - Failu Any (ORTENED STATUTORY PERIOD FOR CHEVER IS LONGER, FROM THE MANSIONS OF THE MANSIO	AILING DATE of 37 CFR 1.136(a) unication. tutory period will ap will, by statute, cau	E OF THIS COMMUNIC In no event, however, may a repoply and will expire SIX (6) MONT se the application to become ABA	ATION. ply be timely filed HS from the mailing date of this of the control of th	·			
Status								
1) 又	Responsive to communication(s) file	d on <i>03 Marc</i>	h 2010					
•			tion is non-final.					
3)		<i>,</i> —		rs prosecution as to the	e merits is			
٥,١	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Dienositi	on of Claims	ж амас.	ante quayre, 1000 0.2.	,				
· -								
•	4) Claim(s) 1 is/are pending in the application.							
	4a) Of the above claim(s) is/are withdrawn from consideration.							
· · · · · · · · · · · · · · · · · · ·	5) Claim(s) is/are allowed.							
·	Claim(s) 1 is/are rejected.							
•	Claim(s) is/are objected to.	tion and/or al						
اــا(٥	Claim(s) are subject to restrict	uon and/or ei	ection requirement.					
Applicati	on Papers							
9)	The specification is objected to by the	Examiner.						
10)	The drawing(s) filed on is/are:	a)∏ accepte	ed or b)□ objected to b	y the Examiner.				
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
	Replacement drawing sheet(s) including	the correction	is required if the drawing(s	s) is objected to. See 37 C	FR 1.121(d).			
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority ι	ınder 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:								
	1. Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No								
	3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.								
" 3	see the attached detailed Office action	1 for a list of t	ne certified copies not r	eceived.				
Attachmen			🗖	(D=0.110)				
	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (P	TO-948)		ımmary (PTO-413) /Mail Date				
	mation Disclosure Statement(s) (PTO/SB/08)	. 5 6 10,	5) Notice of Inf	ormal Patent Application				
Paper No(s)/Mail Date 6) U Other:								

Application/Control Number: 10/594,719 Page 2

Art Unit: 2476

DETAILED ACTION

Response to Amendment

1. Claim 1 is pending.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Regard claim 1, the newly amended claim subject matter "mobile control module" is not disclosed and described in the specification as the application was initially filed. Clarification and appropriate correction are required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding claim 1, the newly amended subject matter "mobile control module" in the preamble is not supported and described explicitly in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was originally filed, see applicants' specification (revised version, dated 2/27/2009) pages 2 and 3, Summary of the Invention. Appropriate correction is required.

Application/Control Number: 10/594,719

Art Unit: 2476

Claim Rejections - 35 USC § 102

Page 3

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Amin et al. (US 6714987 B1).

Regarding claim 1, Amin et al. disclose a system for dynamically controlling equipment in a communication system, said system comprising several nodes, said nodes comprising servers, said system taking into account the dynamics associated at least with the mobility of the servers of the nodes, (*Fig. 2, Fig. 3, col. 5, lines 48 – 62, Fig. 9, "mobility manager" interpreted as* system taking into account the dynamics associated at least with the mobility of the servers of the nodes, *col. 20, lines 23 – 53*), said system comprising at least one mobile control module comprising at least: a control block comprising: a control component ACS for processing authentication of users connected to a network, dynamic configuration of IP addresses, management of authorizations for service requests from users, configuration of the network components according to the authenticated users (*Fig. 2, Fig. 3, Fig. 4, col. 13, lines 7 – 22, col. 15, lines 36 – 52*); a control component LOC for the processing of user affiliation, server mobility, user location and application-oriented service routing (*Fig. 2, Fig. 3, Fig. 4; col.*

Art Unit: 2476

11, lines 9 – 24, Fig. 9, col. 20, lines 23 – 53, Fig. 13, col. 21, lines 35 – 60); a control component QSM for processing service quality management on the highways of the network ("QoS policy and policy enforcement points"; Fig. 2, Fig. 3, Fig. 4, Fig. 19, col. 27, lines 45 – 55); a block comprising one or more of the following elements: a component for the various user services, the network components, a component for connectivity to the external entities ("establishing and managing voice, paging, short message service (SMS), and circuit and packet data oriented services"; Fig. 2, Fig. 3; col. 7, lines 31 – 53).

Response to Arguments

6. Applicant's arguments filed on 03/03/2010 with respect to claim 1 have been fully considered but they are not persuasive.

Regarding claim 1, applicants argue "In order to better understand the present patent application, Applicant will refer to the notation used by Amin. Amin uses the NSF and LSF relating to the Network Service Function Layer and Local Service Function. In the present patent application, Applicant does not use NSF functions in the organization that is claimed in the present patent application.

In fact in present patent application, the main idea is to use functions which are decentralized towards the Local Service Function of LSF, and adding to this function the possibility to take into account the topologies being then created. The topology of the network can change or be modified because the mobility of the users connected at t and at t+l.

In the present patent application, the LSF comprises LOC, QSM, ACS and the block comprising the network connectivity for the users and the connectivity towards external units. These functions have characteristics allowing the decentralization of the network functions."

In response to applicants' remark, Examiner respectfully disagrees.

Applicant is reminded that, although the claim is interpreted in light of the specification, limitations from the specification are not read into the claim. See In re Van Geuns, 988 F.22d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Art Unit: 2476

Applicants argue that "In the present patent application, Applicant does not use NSF functions in the organization that is claimed in the present patent application." Examiner respectfully disagrees. Referring to applicants' drawings, Blocks IV (non-IP-S network connectivity: GTW, MGW, TUN, IAD and MAG), and Block III (network: L2P, FRW, L3P, TAD, IPZ and MTG) of Fig. 2 and Fig. 3, respectively are interpreted as network service functions which interface with the block I (system control with ACS, LOC and QSM entities), wherein Block I was acknowledged by Applicants as Local Service Function of LSF.

Page 5

Applicants then argue Claim 1 has been amended to recite that the control block is mobile. Examiner respectfully disagrees. Since the amended claim subject matter is in preamble and is a new matter that is not described explicitly and supported by the Specification. Hence, Examiner does not give any weight to the amended limitation.

Overall, applicants further argue "the main idea is to use functions which are decentralized towards the Local Service Function of LSF, and adding to this function the possibility to take into account the topologies being then created. The topology of the network can change or be modified because the mobility of the users connected at t and at t+1." Examiner respectfully disagrees. Applicants' remark is improper and is irrelevant to the claim subject matters in the claim —the terminologies of "centralized", "decentralized", and timeline "t or t+1" do not appear or mention or disclose implicitly/explicitly in the any context of the Specification. Hence, Examiner contends reference Amin teaches all the limitations as disclosed in claim 1 as the Local service function comprising LOC for the processing of user affiliation, server mobility, user location and application-oriented service routing, see Amin, Fig. 2, Fig. 3, Fig. 4; col. 11,

Art Unit: 2476

lines 9 – 24, Fig. 9, col. 20, lines 23 – 53, Fig. 13, col. 21, lines 35 – 60, QSM for processing service quality management on the highways of the network, see Amin, "QoS policy and policy enforcement points"; Fig. 2, Fig. 3, Fig. 4, Fig. 19, col. 27, lines 45 – 55, ACS for processing authentication of users connected to a network, dynamic configuration of IP addresses, management of authorizations for service requests from users, configuration of the network components according to the authenticated users, see Amin, Fig. 2, Fig. 3, Fig. 4, col. 13, lines 7 – 22, col. 15, lines 36 – 52; and the block (Network service Function NSF) comprising the network connectivity for the users and the connectivity towards external units.

Conclusion

- 7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a) Bjelland et al. (US 6973054 B2).
 - b) Amin et al. (US 20020152319 A1).
 - c) Dantu et al. (US 7225238 B1).
- 8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Application/Control Number: 10/594,719 Page 7

Art Unit: 2476

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571)272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew C Lee/ Examiner, Art Unit 2476<3Q10::5 11 10>

/Ayaz R. Sheikh/ Supervisory Patent Examiner, Art Unit 2476